

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services - Revenue Department - ACB Surprise Check - Allegations of corruption of Criminal Misconduct and misappropriation of Government funds against Sri Boballapati Guru Naga Rama Anjaneyulu, formerly Village Administrative Officer, Narasaraopet, Guntur District - Convicted in A.C.B. Court - Dismissed from Service - Filed OA No 1548/2012 before the Hon'ble APAT - Orders passed by the APAT dated 25.02.2014- Imposition of punishment of withholding entire pension and gratuity - Orders -issued.

REVENUE (VIGILANCE III.2) DEPARTMENT

G.O.MS.No. 318

Dated:16-09-2014
Read the following.

- 1) From the D.G.A.C.B., Lr No 027/RCO-VGT/2000 dated 12.12.2000.
- 2) Orders of Spl. Judge for SPE&ACB Cases, Vijayawada dated 09.08.2011 in C.C No. 17/2009
- 3) G.O Ms No.26 Rev (Vig.II) Dept., dated 07/01/2012
- 4) Orders of APAT dated 15.02.2014 in OA No 1548/2012 filed by Sri B.G.N.R. Anjaneyulu V.R.O (Dismissed)
- 5) Representation of Sri B.G.N.R. Anjaneyulu V.R.O (Dismissed) dated 06.05.2014.
- 6) From the District Collector, Guntur Lr. No. 452/2012-A2 dated 25.06.2014.

@@@

In the reference 1st read above, the Director General, Anti-Corruption Bureau has reported that the Anti-Corruption Bureau authorities conducted a surprise check on the Mandal Revenue Office, Narasaraopet, Guntur District, and it was revealed that Sri Pidugu Janaki Rama Rao, while working as Mandal Revenue Officer (now retired), Narasaraopet Mandal, Guntur District in connivance with Sri Kandrakunta Mariyanna, formerly Mandal Revenue Inspector, Narasaraopet Rural, Guntur District, Sri S. Lakshmaiah, Mandal Revenue Inspector, Narasaraopet Town, Guntur District, and Sri Bobballapati Guru Naga Rama Anjaneyulu, formerly Village Administrative Officer, Narasaraopet-2, Guntur District issued house site pattas to ineligible beneficiaries in Fisheries Department Land and most of them are the nearest relatives of Revenue employees of Narasaraopet Guntur District. A case in Cr.No.02/RCO-ACB-VJA/2000 was registered on 27.01.2000 under section 13 (2) read with 13(1)(d) of the Prevention of Corruption Act, 1988 and investigated into the case. The Director General, Anti-Corruption Bureau has recommended to prosecute all the A.Os. Accordingly, vide G.O.Ms.No.489, Revenue (Vig.II) Department, dt.23.04.2009 orders were issued to prosecute Boballapati Guru Naga Rama Anjaneyulu, formerly Village Administrative Officer, Narasaraopet -2, Guntur District in a Court of Law, among others.

2. In the reference 2nd read above the Spl. Judge for SPE&ACB Cases, Vijayawada in its judgment dt.09.08.2011 found guilty of charges and convicted the following officers for the offence punishable under section 13(1)(c) read with 13(2) of Prevention of Corruption Act, 1988.

- 1) Sri Pidugu Janaki, Mandal Revenue Officer (Retired),
- 2) Sri.K.Mariyanna, Mandal Revenue Inspector,
- 3) Sri B.G.N.R.Anjaneyulu, Village Revenue Officer

3. Accordingly, Government have issued orders, imposing a punishment of withholding of entire Pension and gratuity permanently against Sri Pidugu Janaki, Mandal Revenue Officer and Sri.K.Mariyanna, Mandal Revenue Inspector vide G.O Ms No. 37 & 38 Revenue (Vig.II) Department, dated 07.01.2012, respectively, who were retired from service and issued orders dismissing Sri B.G.N.R.Anjaneyulu, Village Revenue Officer from service vide G.O Ms. No. 26 Rev (vig.II) Dept., dated 07.01.2012.

4. The Special Judge for SPE&ACB Cases, Vijayawada has acquitted S.Lakshmaiah, Mandal Revenue Inspector as he was not guilty for the offences punishable under section 120-B Indian Penal Code, Section 13(1)(C) read with 13(2) of Prevention of Corruption Act, 1988 and 13(1)(d) of Prevention of Corruption Act, 1988. Accordingly, Government vide memo dated 07.01.2012 have dropped further action against Sri S.Lakshmaiah, Mandal Revenue Inspector.

[P.T.O]

5. Aggrieved with the dismissal orders, Sri Bobballapati Guru Naga Rama Anjaneyulu, formerly Village Administrative Officer, Narsaraopet-2, Guntur District has filed O.A.No.1548 before the A.P.A.T. Hyderabad to set aside orders of dismissal. In the reference cited 3rd read above the Hon'ble APAT dated 25.02.2014 in OA No 1548/2012 filed by Sri B.G.N.R. Anjaneyulu Village Revenue Officer (Dismissed) has ordered as follows:-

“Under the facts and circumstances and in view of the fore going reasons the Court is of the view that though the conviction is sustainable as held in Point No. (i), the quantum of punishment of dismissal is disproportionate to the misconduct alleged against the applicant, particularly in view of the fact that the co-delinquents have been imposed different and lesser punishments. Therefore, the impugned orders issued in G.O.Ms.No.26, Revenue (Vigilance-II) Department, dated 07.01.2012, are set-aside and the respondents are directed to pass appropriate orders keeping in view the punishment awarded to other co-delinquents, on this particular issue, while exercising the powers under Rule 25 of A.P.C.S. (CC&A) Rules. They shall pass orders in this regard within a period of four weeks from the date of receipt of this order. Accordingly, Point NO.(ii) is answered.”

6. In the reference 5th read above Sri Boballapati Guru Naga Rama Anjaneyulu, formerly Village Administrative Officer, Narasaraopet, Guntur District (Dismissed) has requested to implement the orders of Hon'ble APAT dated 25.02.2014 in OA No 1548/2012. In the reference 6th read above the District collector Guntur while forwarding the request of Sri Boballapati Guru Naga Rama Anjaneyulu, formerly Village Administrative Officer has informed that as per the records the date of retirement of Sri B.G.N.R. Anjaneyulu former Village Revenue Officer was on 30.09.2013 on attaining the age of superannuation if he was in service, as his date of birth is 28.09.1955 and also requested for necessary instructions on the orders of A.P. Administrative Tribunal, dated 25.02.2014.

7. Government after careful examination of the judgment of A.C.B Court judgment in C.C No. 17/2009 dated 09.08.2014 wherein Sri Pidugu Janaki, Mandal Revenue Officer (Retired), Sri.K.Mariyanna, Mandal Revenue Inspector, and Sri B.G.N.R.Anjaneyulu, Village Revenue Officer were found guilty of the charges and convicted and another Accused Officer Sri S.Lakshmaiah, Mandal Revenue Inspector was not guilty. Therefore, further action has been dropped against Sri S.Lakshmaiah, Mandal Revenue Inspector. In respect of convicted officers Government have take a similar decision as per the instructions issued by the Government in G.O Ms No. 2 General Administration (Ser.C) Department, dated 04.01.1999 and imposed penalty of dismissal from service in respect of in service employee and withholding of entire pension and gratuity permanently in respect of retired employees.

8. Therefore, Government have imposed similar punishment against all the 3 convicted officers, hence no disproportionate punishment was imposed against Sri B.G.N.R.Anjaneyulu, Village Revenue Officer (Dismissed) as observed by the APAT in its orders dated 25.02.2014 in OA No 1548/2012.

9. In G.O.Ms.No.2, General Administration (Services-C) Department, dt.04.01.1999 Government have directed that in all proven cases of misappropriation, bribery, corruption etc, the penalty of dismissal from service shall be imposed. As per the amendment of rules 25(1) to the AP civil service (CCA) Rules 1991 issued through G.O Ms. No.240 General Administration (Ser.C) Department, dated 04.08.2003, it is not necessary to consult the APPSC before issue of orders under clause (1) of this rule.

10. Government, after careful examination of the matter keeping in view of the judgment dt.9.8.2011 pronounced by Special Judge for SPE & Anti-Corruption Bureau in C.C.No.17/2009 and orders of APAT dated 25.02.2014 in OA No 1548/2012 filed by Sri B.G.N.R. Anjaneyulu VRO (Dismissed), have decided to impose a punishment of withholding of entire Pension and gratuity permanently on Sri Boballapati Guru Naga Rama Anjaneyulu, formerly Village Administrative Officer instead of dismissal in terms of G.O.Ms.No.2, General Administration (Ser.C) Department, dt. 04.01. 1999.

::3::

11. Accordingly, Government hereby impose a punishment of withholding of entire Pension and gratuity permanently on Sri Boballapati Guru Naga Rama Anjaneyulu, formerly Village Administrative Officer as per Rule 8(2) of the A.P. Revised Pension Rules, 1980 read with Rule 9 of the said rules and also G.O MS. No. 2 General Administration (Ser.C) Department dated 4.01.1999 read with APCS (CC&A) Rules, 1991.

12. The Chief Commissioner of Land Administration, Hyderabad is requested to take necessary action in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P. SINGH
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri Boballapati Guru Naga Rama Anjaneyulu, formerly Village Administrative Officer, Narasaraopet, Guntur District (Dismissed) through Chief Commissioner of Land Administration, AP, Hyderabad (with a request to serve on the individual and return the served copy)

The Chief Commissioner of Land Administration, AP, Hyderabad

Copy to :

The District Collector, Guntur

The Government Pleader for Revenue (Ser) A.P.A.T with reference to the order of Hon'ble APAT dated 25.02.2014 in OA No 1548/2012 filed by Sri B.G.N.R. Anjaneyulu VRO (Dismissed).

The Director General, Anti-Corruption Bureau, Hyderabad

SC/SF

//FORWARDED:: BY ORDER//

SECTION OFFICER